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United Republic of Tanzania

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I. Introduction, methodology and the broad based consultation process

1. This is the second National Report under the Universal Periodic Review Mechanism (UPRM) of the United Republic of Tanzania which constitutes Tanzania Mainland and Tanzania Zanzibar. The Report has been prepared in compliance with the provisions of paragraph 5(e) of Resolution 60/251, General Guidelines set out in Resolution 5/1 and Resolution No. 17/119.[1]

2. The Attorney General's Chambers is mandated with preparing the National Report under the UPRM. On 16 December, 2014 an initial consultative meeting was held with stakeholders representing State and Non-State Actors from Tanzania Mainland and Tanzania Zanzibar. The outcome of the meeting was: stakeholders were sensitized on the UPR process, a roadmap for writing the Report was validated and stakeholders were requested to submit information on the implementation of the recommendations and developments in the human rights situation since the adoption of the first National Report. This led to a series of communications with stakeholders supplying information which resulted in production of a Draft Report which was validated by the Stakeholders in September 2015.[2] Broad based consultations were the guiding principle in preparing the second National Report which was facilitated by the Government and supported by the One UN-System.

II. Developments since the previous review

A. Background of the country

Population census

3. The 2012 Population and Housing Census results show that Tanzania has a population of 44,928,923 with 43,625,354 in Tanzania Mainland and 1,303,569 in Tanzania Zanzibar. Out of 44,928,923 people 23,058,933 equivalent to 51.3% were female and 21,869,990 equivalent to 48.7% were male.[3]

Administrative regions

4. Regions in Tanzania Mainland have increased from 21 to 25 making a total of 30 Regions in the whole country.

General elections

5. The State held its 5th Multi-party General Elections on the 25th of October, 2015. They were lauded as being free and fair. In Tanzania Zanzibar, the Zanzibar Electoral Commission (ZEC) nullified the elections and declared that re-elections will be held.

B. Normative and institutional framework

Constitution

6. The State completed the process of writing a new Constitution pursuant to the Constitutional Review Act, Cap. 83.[4] The Act also established the Constitutional Review Commission which conducted a nationwide collection of public opinion, production of a draft Constitution and established the Constituent Assembly. The Constituent Assembly

deliberated on the draft Constitution and adopted the Proposed Constitution which is awaiting a Referendum.

Legislation

7. The State has enacted various legislation for the promotion and protection of human rights and fundamental freedoms, these include: the Cyber-crimes Act of 2015; the Statistics Act of 2015; the Disaster Management Act of 2015; the Budget Act of 2015; the Tax Administration Act of 2015; the Whistle Blowers and Witness Protection Act of 2015; the Oil and Gas Revenue Management Act of 2015; the Petroleum Act of 2015; the National Youth Council Act of 2015; the Electronic Transaction Act of 2015; the Non-Citizen (Employment Regulation) Act of 2015 and the Tanzania Extractive Industry (Transparency and Accountability)Act of 2015.

8. The State has also enacted Rules to operationalise legislation for the promotion and protection of human rights including: the Basic Rights and Duties Enforcement (Practice and Procedure) Rules, GN 304 of 2014; 17 Regulations of the Law of the Child Act of 2009 and The Law Reform (Fatal Accidents and Miscellaneous Provisions) (Judicial Review Procedure and Fees) Rules; GN. 324 of 2014.

9. In Tanzania Zanzibar, the following legislation have been enacted: the Children's Act No. 6 of 2011; the Public Service Act No. 2 of 2011; the Establishment of the Chief Government Chemist Laboratory Act No. 10 of 2011; the Zanzibar Food Security and Nutrition Act No. 5 of 2011; the Zanzibar Higher Education Loans Board Act No. 3 of 2011;the Zanzibar Anti-Corruption and Economic Crimes Act No. 1 of 2012; the Public Service (Amendment) Act No. 5 of 2012; the Zanzibar Constituency Development Fund Act No. 4 of 2012; the Public and Environmental Health Act No. 11 of 2012; the Business Entity Registration Act No. 12 of 2012; the Zanzibar Business and Property Registration Agency Act No. 13 of 2012 and the Public and Environmental Health Practitioners Act No. 15 of 2012.

Translation of legislation

10. All laws are being translated from English to Swahili. All legislation enacted in 2015 and some from 2014 have been translated thus a total of 20 legislation have been translated.[5]

Regional and international instruments

11. The State ratified the African Youth Charter of 2006 in 2012.

The judiciary

12. The Judicial Administration Act, No. 4 of 2011 separates the administrative from judicial work of the Judiciary by establishing the Offices of the Chief Court Administrator and the Chief Registrar which became operational in 2014. Section 52(1) of the Act establishes a Judiciary Fund which caters for the expenses of the Judiciary and the Government has continued to increase the Judiciary budget.[6]

13. To enhance access to justice, the time to finalise cases has been set at two years per case. A High Court Judge is to handle a minimum of 220 cases per year; a Resident Magistrate 250 cases per year and a Primary Court Magistrates 260 cases per year.[7] The number of Judges has increased; Judges in the Court of Appeal have increased from 8 in 2005 to 16 in 2015 and High Court Judges from 37 in 2005 to 81 in 2015.

14. There has been an increase in the number of registries of the High Court including the labour Division. The Judiciary continues to construct High Courts, District Courts and

Primary Courts throughout the country.[8] In Tanzania Zanzibar, the Court building is being renovated in Pemba and a Children's Court is being constructed in Northern Unguja.

The National Human Rights Institution

15. The National Human Rights Institution (The Commission for Human Rights and Good Governance (CHRAGG)) retains its "A" Status accreditation by the ICC and new Commissioners were appointed in 2015.[9] The capacity of the CHRAGG has been enhanced with an electronic system of receiving complaints.[10] Further, from 2005 to 2015 the Commission has had its financial and human resources steadily increased.

C. Promotion and protection of human rights: status

The right to work, social security and economic benefits

16. During the review period, the minimum wage was increased from Tsh.65,205 in 2005 to Tsh.300,000 in 2015; the Workers Compensation Board (WCB) established by the Workers Compensation Act of 2008 was operationalised in 2014 and the Social Security Regulatory Authority adopted Rules in 2014 to harmonise the formula for social security benefits.[11]

The right to privacy and personal security

17. The Cybercrimes Act of 2015 was enacted to criminalise offences related to computer systems and information communication technologies and for investigation, collection and use of electronic evidence and related matters. The Act also provides the right to privacy and promotes the security of children as it criminalises pornography.

The right to health

18. The State has taken initiatives to provide access to health care services by increasing the budget to purchase medication and equipment and increasing the number of health care facilities.[12] Over the review period the State enhanced the laboratory in the Region of Mbeya to the strength of testing for Ebola and a National Community Health laboratory which is also used as a referral laboratory by SADC countries was also set up in Mbeya.

HIV/AIDS

19. The Tanzania Commission for Aids (Amendment) Act No. 6 of 2015 established the Aids Trust Fund. It also provides the Commission with the mandate to: advise the Government on new sources of revenue for the purposes of ensuring adequate and sustainable flow of money into the fund as well as to promote prevention of new infections. In Tanzania Zanzibar, the Zanzibar HIV and AIDS Prevention Act was enacted in 2013 for the protection and promotion of rights of persons living with or affected by HIV and AIDS. Also, the National Prevention of Mother to Child HIV transmission (PMTCT) programs were established in both Tanzania mainland and Tanzania Zanzibar.[13]

Malaria

20. The State established the 2014-2020 Action Plan to control and prevent malaria by implementing various initiatives to reduce malaria. These include promoting the use of and free distribution of nets to children which has helped save the lives of 60,000 children who otherwise die annually. The number of patients suffering from malaria has reduced from 326 per 1,000 in 2009 to 161 per 1,000 in 2014.

The right to a clean and healthy environment

21. The Petroleum Act of 2015 incorporates provisions for environmental protection by stipulating an environmental assessment be conducted before any project is undertaken.

The right to participate in public affairs

22. The Voters Register was reviewed in anticipation of the General Elections and a biometric voters registration system was used for the first time during the 2015 General Elections to enhance efficiency.

Review of laws

23. The Law Reform Commission (LRC) prepared reports on Review of the Civil Justice System and Review of the Legal Framework on Land Disputes Settlement in Tanzania, and submitted them to the Minister for Constitutional and Legal Affairs in 2012 and 2014 respectively.[14] The Commission is currently reviewing international instruments signed or ratified by the State with a view of identifying problems affecting their implementation.[15] The Commission is also reviewing laws concerning Elderly Social Care, the Criminal Justice System in Tanzania[16] and the legal framework on consumer protection in Tanzania.[17]

National awareness programs

24. The State continues to conduct public awareness on human rights and the rights of vulnerable groups annually during National celebrations of Human Rights Day; Sixteen days of Activism; The Day of the African Child; African Day of Human Rights, International Day for the Elderly and National Albinism Day.

Strategies

25. The National Child Justice Reform Strategy (2013–2017) was established in Tanzania Mainland and the Child Justice Reform Strategy (2013–2018) in Tanzania Zanzibar.

Human rights reporting

26. The State continues to cooperate with International Human Rights Mechanisms. The Initial to Third Periodic Report under the International Covenant on Economic Social and Cultural Rights[18] and the consolidated 3rd, 4th and 5th Report on the Convention on the Rights of the Child[19] were considered by various UN Committees. The State's consolidated 7th and 8th Report on the Convention on the Elimination of all forms of Discrimination against Women will be considered in February 2016.

Mission visits

27. The State received the African Commission on Human and Peoples' Rights Working Group on Indigenous Populations/ Committee from 21st January to 6th February 2013. The Research and Information Visit Report was launched in November, 2015 and the State is examining the recommendations issued. In June, 2015 the State received the African Union Committee of Experts on the Rights and Welfare of the Child.

III. Progress made in the follow-up to the previous review

28. The State accepted a total of 107 Recommendations at the adoption of its First National Report. These recommendations were clustered into thematic areas with consent of stakeholders when disseminating the Recommendations initially in December, 2011.

Ratification and domestication of instruments

29. The State is still assessing feasibility of ratifying the Agreement on the Privileges and Immunities of the ICC[20] and is yet to find need to fully integrate the Rome Statute in domestic legislation as existing mechanisms are sufficient. The State studied the Convention on the Protection of the Rights of All Migrant Workers and Members of their Families and it came to light a number of issues contained in the Convention are not in line with our laws.[21] It is for these reasons of variance with National laws that there have been no developments in ratifying the Convention. Further, the current labour law framework is sufficient in addressing these issues. The State has enacted the Non Citizens (Employment Regulation) Act of 2015 which seeks to regulate and realign the legal framework for employment and engagement in other occupations in Tanzania Mainland.

30. The Convention against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment is yet to be ratified as the State still retains the death penalty.[22] With regard to ratification of the Convention for the Protection of All Persons from Enforced Disappearance the State is still studying the technical and financial implications of ratification. However, the existing legal framework provides remedies for victims in the event of such incidences.[23]

Human rights training and education

31. The Medium Term Human Rights Education strategic Plan (2011/12-2015/16) was established to improve human rights knowledge of students, teachers and other civil servants in the education sector. While in Tanzania Zanzibar the curriculum has incorporated human rights related issues.

The National Human Rights Action Plan

32. The National Human Rights Action Plan (NHRAP) was launched on 10th December 2013.[24] It is the national framework for the promotion and protection of human rights and is a five year strategy from 2013 to 2017. It is being implemented in Tanzania Mainland and Tanzania Zanzibar by Government actors, civil society and the private sector. It has a monitoring and evaluation mechanism coordinated by the CHRAGG. The UPR recommendations were incorporated into the NHRAP for implementation purposes.[25] The CHRAGG has conducted various trainings and seminars for Government Officers[26] on the implementation, monitoring and evaluation of the NHRAP and a total of 3,500 copies of the NHRAP have been distributed. As part of the implementation of the NHRAP activities, a total of 109 Magistrates were trained on case flow management and 80 Officers from the Government and CSOs were trained on how to deal with people with disabilities and juvenile justice skills.

Anti-corruption measures

33. The Second National Anti-Corruption Strategic Action Plan (NAPSAC II) ended in 2014 and the State is currently preparing NAPSAC III.[27] The Prevention and Combating of Corruption Bureau (PCCB) has been provided with more resources including working tools, financial resources, human capacity and offices have been constructed in all Regions and Districts. An Asset Recovery and Forfeiture Unit within the Division of Public

Prosecutions at the Attorney General's Chambers was established in 2012[28] and the Whistle-Blowers Act of 2015 was enacted to protect people who provide information on corruption. The PCCB has held public awareness programs to increase public support in the fight against corruption.[29]

34. In Tanzania Zanzibar, an Anti-Corruption and Economic Crimes Act was enacted in 2012[30] which establishes the Zanzibar Anti-Corruption and Economic Crimes Authority (ZAECA)[31]. A strategy for the effective implementation of the Act is in place and an anti-corruption curriculum has been incorporated in schools under the Ministry of Education.

Women's rights

35. The Proposed Constitution considers women rights and provides women with equal rights as men on inheritance, succession and land issues. The State will embark on amendment of the to laws to enhance equality between men, women and children in succession, inheritance and land issues when the Proposed Constitution is adopted.

36. Currently, the Land Act No. 4 of 1999, the Village Land Act No. 5 of 1999 provide women with the right to own land and participate on equal basis with men, in land decision making bodies. In Tanzania Zanzibar, the Land Tenure Act No. 12 of 1992 provides for similar provisions while the Land Tribunal Act No. 7 of 1994 establishes the Land Tribunal which enforces the provisions of the Land Tenure Act, thereby guaranteeing equality of men and women in land ownership and use. There is also a Registered Land Act No. 10 of 1990 which provides for the appointment of a Land Registrar. It is also worth to state that the current Land Registrar is a woman.

Non-discrimination and equality measures

37. Tanzania Mainland is reviewing the National Gender Policy to replace the Gender and Women Development policy 2000 in order to incorporate current emerging issues.

38. In Tanzania Zanzibar, the Women Protection and Development Policy of 2001 is being reviewed with a view of creating the Zanzibar Gender Policy. In order to emancipate women in rural areas, 14 Women Information Windows have been established at the Ward level which provide rural women with information on health, education, legal issues, human rights, entrepreneurship skills, land rights and income generation projects. Further, the Proposed Constitution provides for the per centum of women in Parliament to be at 50%.

Violence against women and children

39. The State continued to implement its National Action Plan for Prevention and Eradication of Violence against Women and Children (2001–2015) as follows: A National Multi-Sectoral Committee to Prevent and Respond to Violence against Women and Children and Child protection teams established and the Tanzania Teachers' Code of Conduct and Professional Ethics of 1963 is under review to include specific measures on promotion of child rights and zero-tolerance for violence against children in schools. A child free help line was launched on 14th June, 2013[32] and one Stop Centers for child abuse victims were established.[33] The State has also developed a roadmap for raising awareness on Violence against Children and Gender Based Violence (2014–2016).[34] The State continues to be part of a Great Lakes Region campaign on Sex and Gender Based Violence "DECLARE ZERO TOLERANCE NOW" (SGBV) launched in 2012.

40. In Tanzania Zanzibar, Gender based violence (GBV) committees have been established at Village, Ward, District and National level with guidelines for prevention of GBV and there is a National GBV Register Board that records cases of violence against women and children. A call help line was established in 2015 with number 116 to report

and receive assistance from incidences of violence and One Stop Centers have been established.[35] Currently, VAC cases are highly reported due to availability of such services and a shelter house has been designated to accommodate survivors of GBV. Also, 417 Gender and Children Desks are in place in major Police Stations around the country which have developed and harmonized Standard Operating procedures(SOP).[36] To that effect, 1,196 Police Officers have been trained on the SOP and their guidelines.

41. Capacity building for health care managers was held in both parts of the Union[37]. In the Lake Zone where GBV is predominant, training on combating and elimination of GBV was held for 281 law enforcers.[38] In Tanzania Zanzibar, the President launched an awareness raising campaign on eradication of violence against women on the 6th December 2014 and a Plan of Action for the implementation of the campaign for women and children is in place[39]. Similarly, Government officials wear orange T-shirts on the 25th day of every month to raise awareness in the community. This goes hand in hand with Community radio sensitization programe.[40]

42. Elements of domestic violence are criminalized under the Penal Code [Cap 16 R.E 2002] and the Zanzibar Penal Act No. 6 of 2004 which criminalize grievous bodily harm and assault being key elements of domestic violence. Further, obstacles to attaining a police report prior to obtaining medical attention have been removed.[41] In Tanzania Zanzibar parenting groups have been established at the grassroots level (*Shehia)* and are being strengthened to provide care to parents and children.[42] In Tanzania Mainland Section 130 of The Penal Code [Cap 16 RE 2002] criminalizes rape[43] and in Tanzania Zanzibar Section 125(1) of the Penal Act No. 6 of 2004 criminalizes rape.[44]

43. Section 169A of The Penal Code [Cap 16 RE 2002] criminalizes Female Genital Mutilation (FGM) of girls under the age of 18 years in Tanzania Mainland. Also, the National Plan of Action for Prevention and Eradication of FGM 2001-2015 is designated for review in 2016 while the National Plan of Action to Accelerate the Eradication of FGM and Other Harmful Traditional Practices and the National Human Rights Action Plan 2013-2017 are operational.[45] Further, the National Policy on Childhood Care and Development which addressed FGM is at the validation and approval stages.[46]

44. FGM cases are being successfully prosecuted in the criminal justice system as a result of awareness raising and capacity building.[47] Programmes for alternative sources of income for those who perform FGM as means of livelihood have been devised and the State in collaboration with CSO's continues the implementation of the ***'Stop Female Genital Mutilation'*** campaign which is changing people's attitudes towards FGM.

Witchcraft killings of elderly women

45. All killings are criminalized under Section 196 of the Penal Code [Cap 16 Re 2002] as murder. The State is in the process of reviewing the Witchcraft Act Cap, 18 and the Traditional and Alternative Medicines Act, No. 23 of 2012 with a view of using the legislation to combat witchcraft and witchcraft killings. The State also continues to register traditional healers and places parameters to their activities. Further, the NHRAP promotes rights of the elderly by addressing issues of witchcraft associated killings. The National Aging policy of 2003 is being reviewed and a Bill is being prepared to protect the elderly. Further, 17 safe homes for elderly persons have been established to support survivors of witchcraft killings.

Women participation in decision making positions

46. Statistics for women in decision making positions show an increase in trend.[48] In 2005 there were 62 women Members of Parliament while in 2015 there were 127. In 2015, there were 10 women Ministers, 5 Deputy Ministers, 32 Judges in the High Court, 5 in the

Court of Appeal, 53 District Commissioners and 7 women Regional Commissioners. In higher learning institutions the number of female students increased from 10,039 in 2005 to 78,800 in 2014.[49] Further, the State gained a female Vice President for the first time in 2015 and a female Deputy Attorney General. Also, during the 2015 General Elections, there were female presidential candidate among the contestants.

Persons with disabilities

47. The State continues to implement national legislation on the rights of persons with disabilities and identification of people with disabilities by age, gender and location was done through the National Population and Housing Census of 2012. The State has reviewed the National Health Exemption Guidelines to include elderly people and people living with disabilities and 43 rehabilitation centers have been established. In Tanzania Zanzibar, there is a Disability Fund, a National Council for Persons with Disabilities and a Department of Disability Affairs at the Ministry of State-Office of the 1st Vice President. There are also focal persons for disability affairs at every Ministry and immunization programs are held specifically for children with disabilities.

48. The State has taken several measures to ensure access to education for children with disabilities, including the adoption of the New Education and Training Policy in 2014[50] and an Inclusive Education Strategy (IE) 2012-2017.[51] The State has also established an Educational Support and Resource Centre (ESRAC) in Dar es Salaam and five (5) Districts Councils have identified spaces to establish ESRAC's for the purpose of detection and identification of children with special needs. Guidelines on Early Identification and Interventions for Children with Special Needs were developed in 2013.[52] In Tanzania Zanzibar, the Persons with Disabilities (Rights and Privileges) Act No. 9 of 2006 continues to be implemented as an inclusive education system has been developed where every District has at least one inclusion education program in line with various policy to ensure children with disabilities access education.[53]

49. The National Pension Schemes have addressed disability concerns at the work place and the State has developed a guideline for employers on how to support their employees with disabilities with technical devices. The legislative framework and policies have enabled the presence of special needs officers in 168 Districts. The State continues to raise awareness on the rights of persons with disabilities through national awareness forums such as Disability Day, White Cane Day and World Braille Day.

Persons with Albinism (PWA's)

50. Standby committees have been established at the Ministerial level such as the Ministry of Home Affairs to look into the protection of persons with albinism. Similarly, Permanent Child Protection Committees have been established at the Ministerial level to provide protection at the house hold level.[54] Further, the NHRAP addresses issues of the rights of PWAs and the State voted in favor of the UN Resolution to hold Persons with Albinism Day annually to raise awareness on non-discrimination and their protection.[55] The State also established temporary protection centers for children with albinism in 3 Regions.[56]

51. The State continues to prioritise investigation, prosecution and trial of cases where PWA's are victims. Standing operation task forces have been established specifically to respond to the attacks and killings of persons with albinism. These efforts have led to the decline of albino killings particularly in the election year 2015. The police continue to educate citizens in regions where there is prevalence of the attacks.[57] Further, a holistic approach to assessing the problem was undertaken by the State whereby the Police, Public Prosecutors and the NGO Under the Same Sun visited Regions with the most prevalent attacks and killings of PWA's in 2015.

Human trafficking

52. Regulations are being created for the implementation of the Anti-trafficking in Persons Act (2008), which are now at the final stages of *gazetting* and the State launched a new National Anti-Trafficking in Persons Action Plan (2015–2017).[58] In 2013, the Tanzania Police Force established the Community Police Unit which, among other things, deals with raising awareness to the community on the issues relating to, *inter alia*, anti-trafficking.

53. The State, in collaboration with the International Organization for Migration (IMO), conducted special trainings of Police Officers on how to identify and detect perpetrators and victims of human trafficking.[59] Through this collaboration, training on trafficking issues for public prosecutors, Magistrates and social workers were also held in 2012 and 2013. In 2014, journalists were trained on ethical reporting of human trafficking cases and Media Guidelines on how to report cases of human trafficking without re-victimizing the victims were developed.[60]

Accountability of Law Enforcements Officers

54. There are disciplinary measures within Law Enforcement Institutions and punitive measures as per the Penal code to hold law enforcement officers accountable.[61] Also, a complaints unit within the Police Department at the Ministry of Home Affairs oversees complaints against its Officers. In the year 2014/2015 disciplinary measures were taken against 300 police officers whereby 118 were summarily dismissed and 19 were charged in the ordinary civilian Courts.[62] In the year 2014/15, the Police Force raised the vetting requirements of police recruits joining the force so that only those of high integrity are employed.

Marginalised and vulnerable population

55. Through TASAF, there have been interventions in Tanzania Mainland and Tanzania Zanzibar such as conditional cash transfers and public works programs which provide temporary employment to enrolled poor household to work on labor intensive activities while providing income support and contributing to creation of community assets. There are livelihood enhancement programs which aim at contributing to building the foundation for graduation out of poverty by enhancing households' ability to support themselves through strengthened and diversified livelihoods.[63]

56. In Tanzania Zanzibar the Social Protection Policy of 2014 which addresses the challenges in the communities including vulnerable groups and unemployed youth has been adopted. Elderly homes and provides an allowance of Tsh. 40,000/- for every elderly person living therein. Identification of elderly people has been concluded and from April 2016, every elderly person will be given an allowance of Tsh. 20,000/= per month. A policy of assisting women who deliver more than two babies at once by giving them an allowance of 40,000/= per month has been adopted.

Prison conditions

57. The Community Service Act, Cap. 291 continues to be implemented to reduce overcrowding in prisons[64] and a concept note to amend the National Parole Board Act, [Cap. 400 RE. 2002] to allow more prisoners to serve community service sentences has been prepared[65]. Further, under the Presidential Amnesty 24,772 prisoners were pardoned between 2011 to April 2015.[66] Also, a National Criminal Justice Forum has been established to improve justice delivery and decongestion in prisons.[67] Further, to facilitate The National Prison Policy, an implementation strategy was created in 2014 which requires the State to adhere to international human rights prison standards.[68] Also, between May

2008 to June 2014, the Legal Sector Reform Program purchased 14 Prison buses while the State purchased 17 buses across the country. These initiatives have reduced non-attendance of inmates in court sessions and enhanced the disposal of cases.

58. There has been rehabilitation of dormitories, latrines, and sewage system in the prisons.[69] Further, the State in cooperation with stakeholders such as Farm Access has built 12 health centers in central prisons.[70] Also, the National Health Insurance Fund (NHIF) has devised a program to improve health services in prisons. In Tanzania Zanzibar, a prison is being constructed in Hanyegwa Mchana to reduce congestion and efforts are ongoing to improve living conditions of prisoners.

Children's rights

59. There is a specific provision on children's rights (Article 53) in the Proposed Constitution to guarantee the rights of children. The State has also continued to implement and respect the Law of the Child Act by developing several sets of Regulations, which cover various areas of child protection provided for in the Act.[71] Other efforts include implementation of the under five and the 6 - 18 birth registrations initiative where free birth certificates are given in pilot areas.[72]

60. The State has developed Guidelines and Standard Operating Procedures (SOP)s on how to handle children's cases at the Gender and Children Desks and developed training manuals on cases involving children in police stations and in Courts.[73] Furtner, 162 State Attorneys were trained on the law of the Child and how to prosecute children's case. In both Tanzania Mainland and Tanzania Zanzibar Rules have been adopted[74] to, *inter alia*, regulate the administration of juvenile justice. Rules for the Zanzibar Children's Court are at final stage of adoption.

61. The Law of the Child (Child Employment) Regulations GN 196 of 2012 prohibits employment of a child under the age of fourteen years and the State continued to implement the National Action Plan for the Elimination of Child Labour (2009–2015).[75] Awareness raising has reached 35 Districts where in each District averages of 25 participants attended and were made aware of child labour issues and their roles in National Action Plan. Further, an objective in the NHRAP is to implement effective sanctions to address issues of child labour.[76]

62. The State held training sessions on the elimination of the worst forms of child labour in the context of the "National Plan of Action for Elimination of Child Labour 2009-2015" to District Social Welfare Officers, Police Officers, District Community Development Officers, District Labour Officers, District Medical Officers, Judicial Officials and representatives of various CSOs[77]. The State in collaboration with the ILO and the Government of Brazil has trained 35 workers in CSOs and 190 workers in Local Authorities on child labour issues.

63. The State established the Child Labor Monitoring System (CLMS) which has contributed to withdrawing children from child labor through the ILO Red Card Anti-child labor campaign. The CLMS is comprised of Child Labour Elimination Committees at the National, District and Village level.[78] The State is also undertaking to ensure that extractive industries end child labour through projects supported by PROSPER,[79] Plan International and WEKEZA[80]. The State has collaborated with Small–Scale Miners Associations and raised awareness on effects of child labour and the legal prohibitions. This campaign led some villages in the Geita Region to adopt By-Laws, which prohibit child employment in mines and agricultural activities.

64. Tanzania Zanzibar, has also continued to effectively implement the National Action Plan for the Elimination of Child Labour (2009–2015). A Multi-sectoral Technical Working Group for Child Labour and a Child Labour Steering Committee have been

established and strengthened to support the child labour issues. Zanzibar also developed and implemented Guidelines with the same objective and achieved returning a total number of 5,067 children at school and Madrasa through the Fighting Child Labour Project.[81]

65. Further, Ministerial collaboration between the Ministry of Labour and the Ministry for Trade, Tourism and Market, have been regulating business enterprises, including regulations issued by Zanzibar Investment and Promotion Authority (ZIPA) to ensure investors abide by investment regulations and that labour inspections are conducted daily to assess whether children rights are violated. Similarly, the Child Labour Programme 2012-14, which aimed at removing 5,000 children from child labour resulted in more than 3,620 children removed from child labour.

International/transnational crimes against children

66. Section 83 of the Law of the Child Act No. 21/2009 and section 13 of the Cyber Crimes Act No.14 (2015) prohibit access to child pornography. The Mutual Assistance in Criminal Matters Act, Cap 254 provides for mutual assistance in criminal matters between Tanzania and foreign countries; to facilitate the provision and obtaining of such assistance; and to provide for related matters. The Extradition Act, Cap 368 provides for the extradition procedure of criminals and related matters.

67. The Anti-Trafficking in Persons Task force trained Local Government Authorities on prevention of child trafficking who subsequently developed by-laws in their respective villages to prevent child trafficking. The Task Force also developed awareness raising materials on prevention of child trafficking and human trafficking in general.[82] Under the period of review 466 professionals working with children[83] were trained on child protection in the course of implementing the child protection system strengthening programme.

Street children

68. The State developed the National Coasted Plan of Action for Most Vulnerable Children II 2013–2017 (NCPA II) launched in February, 2013.[84] It defines children living and working in the streets as among the most vulnerable children category in Tanzania and the target group of NCPA II. Child Protection System Guidelines were created to facilitate the NCPA II and Child Protection systems have been scaled up to 17 District Councils of Tanzania mainland.

69. The State has developed a Community Based Strategic Plan of 2013 to address children living and working in the streets. It is the plan through which the State has established a joint emergency, short-term and long-term care and protection mechanism street children and other vulnerable children. An output is a joint project between the State and three NGOs (KIWOHEDE, Dogodogo and MAKINI) which responds to the urgent need of the situation of children in the streets of Dar es Salaam.[85] Also, a Rapid Assessment Survey Report for Street Children was launched in 2012 with Dar es Salaam region as a pilot area[86].

Education

70. Education remains a top priority for the Government. The Tanzania Education Authority Act, Cap 412 was amended to enable the Education Fund to increase its sources of income and make the Fund sustainable[87]. A new Education and Training Policy was created in 2014 and the Teachers Education Board Bill and the Primary and Secondary Education Curriculum and Control Authority Bill are at various stages of preparation. Further, the President of the United Republic of Tanzania directed that from January 2016, primary and secondary education will be free.

71. Education took up 24% of the National Budget in 2015/2016[88] and is a priority as reflected in various development agendas such as the 2025 Development Vision, MKUKUTA II and MKUZA II bolstered by the Big Results Now (BRN) initiative[89]. The BRN is its own development outlook with education as a key priority. It began in the 2013/2014 financial year and has had the following outcomes: 56 schools of the intended 264 were constructed in the first phase of the initiative. Generally, school enrollment continues to increase and the State continues to build capacity of teachers.[90]

72. In Tanzania Zanzibar, the Zanzibar Education Policy of 2005 was translated into Swahili and total of 500 copies supplied to both private and public schools. Further, the primary school curriculum has been reviewed to incorporate emerging and global issues. As part of efforts to reduce overcrowding in classrooms and in order to achieve the objectives set by Zanzibar Education Development Plan (ZEDP), there has been rehabilitation and construction of classrooms and schools to reduce pupil-classroom ratio.[91]

73. The number of trained teachers for basic education increased steadily from 4,395 in 2001 to 9,503 in 2013 and the number of untrained teachers has been decreasing steadily from 1,279 in 2001 to 391 in 2013.[92] [93] Primary school enrollment continues to increase from 252,938 students in 2013/2014 to 262,212 students in 2014/15.

Health

74. The State continues to implement Section 19 of the Public Health Act. No. 1 of 2009 which obligates every pregnant woman to immunize against tetanus and any other infectious diseases. The Act also requires every parent or guardian to ensure that her/his child born in Tanzania Mainland is immunized.[94]

75. The State has continued to implement the 2008-2015 Action Plan to Accelerate Reduction of Infant deaths and births. As a result, infant mortality under the age of 5 years has reduced from 147 deaths in 1999 to 54 deaths in 2013 for every 1,000 births. On 15th May 2014, the President of the United Republic of Tanzania inaugurated the Maternal Strategic Plan 2014/2020 aiming at reducing maternal mortality. Other State efforts include building 9,997 health facilities in every Ward and opening 64 cervical cancer diagnosis centres in 16 Regions in Tanzania Mainland and 2 in Tanzania Zanzibar. Equipment was purchased for the centers and 213 health personnel were trained on their use. Awareness raising campaigns have been held to encourage women to deliver in hospitals, as a result the number of women giving birth in hospitals has increased from 56.6% in 2013 to 68.3% in 2014.

76. In Tanzania Zanzibar, post-natal care guidelines were produced in 2013 and Guidelines on sexual reproductive health in 2014. Further, Kangaroo Mother Care Units have been established to care for premature babies and the immunization program of children under the age of 5 years has been extended.

Freedom of expression/association and assembly

77. The Media Services Bill, 2015 and the Access to Information Bill, 2015 have both undergone a first reading and are waiting for contributions from stakeholders. The State is amending the Information and Broadcasting Policy of 2003 to harmonise it with technological changes in the information sector. There are 16 daily newspapers out of which 2 are Government owned, 62 weekly newspapers, 115 Radio Stations and 29 Television Stations. Similarly, as of 17th March 2014 a total of 6,427 Non-Government Organizations were registered.

78. The Political Parties Act has been amended and olitical parties continue to be registered with an increase from 18 in 2005 to 24 in 2015. Also, political parties constituted the Constitutional Assembly during the Constitutional Review Process and the Proposed

Constitution provides for a Constitutional Office for the Registrar of Political Parties. Further, a Public Government website is in place and since 2007 a total of 117,243 communications have been received, out of which the Government has addressed 78,258 which specifically concern it[95].

Assistance from the international community

79. The State received financial and technical assistance from the international community in the following programs and initiatives: the NHRAP[96]; maternal and child mortality reduction projects[97]; increasing access to education,[98] reporting to human rights mechanisms and the UPR Report.[99]

80. Other ongoing developing programs with assistance from the international community include: Agricultural Sector Development Program – ASDP, Eastern Africa Agricultural Productivity Program – EAAPP, Japan Policy and Human Resources Development – PHRD and Southern Agricultural Growth Corridor of Tanzania – SAGCOT.

Development efforts

81. In continuing with the efforts of achieving the development goals set in Tanzania Development Vision 2015, the State has been using social economic strategies and plans in combating poverty by prioritizing specific development projects each year and providing a budget to finance these projects which in turn raise the living standards of Tanzanians.[100] The State continues to implement its activities under the MKUKUTA II and MKUZA II development agenda and is committed to the recently launched United Nations Sustainable Development Goals (SDGs).

82. To hasten development the State embarked on the Big Results Now (BRN) initiative in 2013 which aims at adopting new methods of working under specified timeframe for delivery of the step change required. It focuses on six key areas being: energy and natural gas, agriculture, water, education, transport and mobilization of resources.

Right to food

83. To further develop agriculture, the State adopted a new National Agriculture Policy of 2013 which recognizes, protects and promotes food security and nutrition. It contains policy statements which advocate for: national food security, enhanced safety and nutrition through production and accessibility and utilization of sufficient quantity and quality of food.

84. The State continues to implement the National Irrigation Policy of 2010 which recognizes irrigation as essential for increased productivity and production in mitigating vagaries of weather and food insecurity. Thus irrigated agriculture in a sustainable manner is advocated in the policy in order to ensure food security and poverty reduction.

Access to adequate, safe and clean drinking water

85. The State continues to implement the Water Policy of 2002[101] which is strengthened by MKUKUTA II and MKUZA II with the goal of increasing access to clean and safe water, sanitation and hygiene by improving access to safe drinking water in urban and rural areas and sanitation facilities in households and public places. Realization of the goal includes construction and rehabilitation of water infrastructure in urban and rural areas[102].

86. In Tanzania Zanzibar there are urban and rural water supply and sanitation projects; one aims at providing safe and clean water in rural areas in Unguja and Pemba[103] and the other aims at constructing infrastructure to provide clean and safe water in Stone-town.[104]

Further, as part of desalination and treatment of water project, RO desalination plant was set up in Michamvi Village and a Water Treatment plant (UV system) was set up in Kijitoupele area.

Collaborate with civil society

87. The State continues to collaborate with Civil Society who are key stakeholders in the promotion and protection of human rights reports and are also involved in the preparation, validation and dissemination of Reports, concluding observations and recommendations. Civil Society was involved during the dissemination of the UPR Recommendations.

88. The UPR Recommendations were incorporated into the NHRAP which pulls together all stakeholders of human rights in the implementation process. Further, the preparation of the NHRAP was a consultative process in which civil society participated, both the State and Civil Society have designated areas to implement and report and civil society is involved in the monitoring and evaluation process. Further, enactment of the Public Private Partnership Act (2010) Regulations in 2011 has enabled the State to collaborate with the private sector in various human rights projects.

Corporate social responsibility

89. Tanzania is committed to promoting the concept of Corporate Social Responsibility. The Natural Gas Policy of 2015, the Petroleum Act of 2015 and the Tanzania Extractive Industries, Transparency and Accountability Act of 2015, provide for corporate companies to have corporate social responsibility activities.

90. The State has ratified ILO Conventions and implements them through its Employment and Labour legislation.[105] The NHRAP also seeks to address issues related to human rights and business.[106]

IV. Achievements

A. Fifty years of Union

91. The State celebrated fifty (50) years of Union between Tanzania Mainland and Tanzania Zanzibar in 2014.

B. Peaceful elections

92. The State peacefully conducted its 5th Multiparty elections on 25th October, 2015.

C. Increase of women in leadership and decision making roles

93. There has been a significant increase in the number of women in leadership and decision making roles as reflected in paragraph 47 above.

D. Adoption of the proposed constitution

94. Tanzania successfully conducted its Constitutional review process and there is a Proposed Constitution awaiting a Referendum.

E. Adoption of the National Human Rights Action Plan

95. The National Human Rights Action Plan 2013-2017 launched on 10 December, 2013 provides the national framework for the promotion and protection of human rights in the State.

F. Operationalisation of the Judiciary Administration Act No. 4 of 2011

96. Operationalisation of the Act has led to separation of the judicial from administrative work of the Judiciary which is enhancing service delivery.

G. Coming into force of the Social Security Schemes (Pension Benefits Harmonisation) Rules, 2014

97. Harmonisation of the Social Security Schemes (Pension Benefits Harmonisation) Rules in 2014 has provided workers and employees with the right to join a social security pension scheme of their choice.

V. Challenges and constraints

A. Corruption

98. Corruption is an ongoing challenge which affects all areas of society and hinders individual and national development. The State is committed to tackling corruption and is currently considering establishing a High Court Registry/Court to deal with grand corruption cases.

B. Land disputes

99. Disputes between farmers and pastoralists is a national concern. The State has began identifying and designating areas specifically for farmers and pastoralists.

C. Clean and safe water

100. Access to clean and safe water is another challenge. The State is in the process of drilling deep boreholes as part of the solution.

D. Access to healthcare

101. The Healthcare sector faces various challenges and the State is determined to address this situation by increasing and modernizing hospitals, training medical practitioners and ensuring hospital pharmacies are well stocked and affordable.

E. Financial constraints for the promotion and protection of human rights

102. Budget constrains hinder awareness raising activities, implementing the National Human Rights Action Plan and preparing National human rights reports to treaty bodies in time.

VI. Key national priorities and commitments

1. Implementation of the National Development Vision 2025 and the National Strategies for Growth and Reduction of Poverty (MKUKUTA II and MKUZA II).
2. Solidification of the Union.
3. Free basic education for all from nursery school level to secondary school. The Government has abolished school fees in all Government schools and is in the process of regulating school fees in the private sector.
4. The Government has prioritised Anti-Corruption measures as part of its national agenda on Good Governance.
5. To combat tax evasion and to strengthen the tax collection system in order to fund development projects and improve delivery of services. This goes hand in hand with reducing Government expenditure.
6. To finalise the Referendum stage of the Constitutional Review Process.
7. Implementation of the National Human Rights Action Plan.
8. Establishment of a framework to provide for and coordinate legal aid issues.
9. Timely preparation and submission of State Party reports.

VII. Expectations of the State in terms of capacity-building and requests, if any, for technical assistance and support received

103. The Government of the United Republic of Tanzania requests technical and financial support in the following areas:

(a) Human rights training and awareness programs;

(b) Preparation and submission of human rights reports under the International Covenant on Civil and Political Rights, the Convention on the Rights of Persons with Disabilities, the International Convention on the Elimination of Racial Discrimination and the African Charter on Human and Peoples' Rights;

(c) Implementation of the National Human Rights Action Plan.

Notes

[1] The Resolution was adopted by the UN General Assembly on 15th March 2006 in accordance with the General Guidelines set out in Resolution 5/1 adopted by the Human Rights Council on 18 June 2007 and its follow up Resolution No. 17/119 adopted by the Human Rights Council at its 35th meeting, on 17 June 2011.

[2] A three day workshop was held from 1-3 September, 2015 to validate the Draft Report followed by a Five day Working Retreat for Officials from both Tanzania Mainland and Tanzania Zanzibar from 26-30th November, 2015 to finalise writing the Report.

[3] In Tanzania Mainland male are 21,239,313 and 22,386,041 are female. While in Tanzania Zanzibar, male are 630,677 and female are 672,892. The results of the census have assisted the Government to effectively plan for the realization of economic, social, civil and political rights of the people.

[4] The Constitutional Review Act, Cap 83 was enacted in April 2013 by the time of the adoption of the first National Report. The Constitutional Review Act provides for transparency and inclusion of the people at all stages of the Review Process. The Constitutional Review Commission and the people were given the opportunity to table their opinion to the Commission through various mechanisms such as public hearings, letters and by email. Further, The Constituent Assembly was composed of diverse groups reflecting and representing varied sections of the Tanzanian society such as persons with disabilities, women and religious groups. The Proposed Constitution was subject to rigorous debate and a voting process in the spirit of transparency and accountability during the Constituent Assembly and the outcome was the Proposed Constitution. The Proposed Constitution is quite progressive as the Bill of Rights contains the three generation of human rights.

[5] Laws are currently enacted in both languages and those enacted previously in the English language are being translated from English to Swahili.

[6] The budget of the Judiciary was increased from 36.6 billion shillings in the year 2006/7 to 87.6 billion in the year 2015/16.

[7] The time frame and number of cases assigned commences from receiving the matter to its determination.

[8] 2 Regional High Courts in Shinyanga and Kagera Regions, 2 District Courts and 12 Primary Courts were constructed by 2015. There is also ongoing construction of 9 Regional High Courts, 9 District Courts and 25 Primary Courts.

[9] The National Human Rights Institution (NHRI) is the Commission for Human Rights and Good Governance (CHRAGG).It is an active member of the International Ombudsman Institute (IOI) and a member of the International Coordination Committee (ICC) of National Human Rights Institutions. It is as NHRI which complies with Paris Principles.

[10] The number of complaints received by the Commission increased from 9,455 complaints in 2006 to 25,921 complaints in 2014. The electronic system of receiving complaints increased its capacity to deal with complaints as it handled 3,021 complaints in 2005 and 18,501 complaints in 2014.

[11] The harmonisaton of social schemes provides workers with the right to join any social security pension scheme they wish.

[12] The Budget for purchase of medication and equipment increased from Tsh. 40.6 billion in 2005 to Tsh.147 billion 2014. Health care, healthcare facilities have increased from 6,260 in 2010 to 7,014 in 2015 which is an increase of 754 facilities. The National Hospital has been capacitated by purchasing medical equipment including an MRI, CT-Scan, X-ray and Ultra-sound machines.

[13] It addresses provision of treatment, care and support to women infected with HIV and their infants.

[14] The review is aimed at enhancing access to justice before the Courts of law by expediting cases and reducing costs.

[15] The objective of the Review is to come up with recommendations which will enable Tanzania to implement all International Instruments duly signed and ratified.

[16] The purpose of the review is to identify all impediments that underlie access to justice and come up with plausible solutions to remove the impediments and enhance access to criminal justice.

[17] The review among other things, aims to enhance human rights protection to the elderly and to consumers respectively in Tanzania.

[18] The Report was considered in 2012.

[19] The Report was considered in January 2015.

[20] The International Criminal Court.

[21] For example Article 49(2) of the Convention provides that migrant workers should not be regarded as being in an irregular situation nor shall they lose their authorization of residence by mere fact of the termination of their remunerated activity prior to the expiration of their work permits or similar authorization. However section 20(2) of the Immigration Act [Cap 20 RE 2002] provides that a person who has been offered a specific employment in Tanzania and is granted a Class "B" Resident Permit, is permitted to enter and remain in Tanzania subject to the conditions prescribed by the Immigration Act. Also, Section 20(3) (a) and (b) provides that the presence of that person will be unlawfull if he/she fails or ceases to be engaged in the employment specified in the permit or is engages on any terms in any employment other than the one specified in the permit.
Further, Article 8(2) of the Convention provides for the right at any time to enter and remain in their State of Origin and Article 8(2) freedom to leave any State, including their State of Origin. This is in conflict with our laws as Section 15 of Cap 54 states that the conditions of entry and residence to foreigners shall be subject to the law.
Also, Article 29 of the Convention provides the right to a child of a migrant to a Nationality. However, according ot the Tanzania Citizenship Act [Cap 357 RE 2002] the citizenship rights of a child flows from the parents. If one parent is Tanzanian then he/she will be a Tanzanian.

[22] Currently the Constitution of the United Republic of Tanzania, 1977 prohibits torture and remedies for victims of torture are available through the Basic Rights and Duties Enforcement Act, Cap 3 and the Commission for Human Rights and Good Governance.

[23] Victims can seek remedies of *habeus corpus* through the Criminal Procedure Act [Cap 20 RE 2002].

[24] The Action Plan was launched by Dr. Mohammed Gharib Bilal, then the Vice President of the United Republic of Tanzania as part of Human Rights Day celebrations.

[25] It incorporates civil, political, economic, social and cultural rights; groups with special needs; collective rights and issues of human rights and business; corporal social responsibility as well as strengthening institutional capacity.

[26] Training was held for 427 executive Directors and Heads of Departments from Municipal and District Councils in 21 Regions. 272 Link Officers from implementing Ministries and actors were trained on monitoring and evaluation of the Action Plan. Training sessions were held in 30 Regions.

[27] This is being coordinated by the President's Office-Good Governance Unit.

[28] Public servants involved in corrupt practices in Tanzania Mainland who had disciplinary measures against them from 2005-2015 are 61; the number of corruption cases filed before the Court of law are 887; convicted culprits 271; reported grand corruption cases 93 and money rescued is Tsh. 6,778,619,377.

[29] The objective of the awareness campaigns is to on the rights, responsibilities and obligations of individuals before the law especially in places which offer public services. Over the period 2011-2014, the PCCB carried out several community awareness activities that promote human rights. These involved employees in both private and public sectors, students and the general public. The activities include radio and television programs, seminars, public meetings, media programs, forming anti-corruption clubs and during exhibitions.

[30] The legislation was enacted in adherence to the Good Governance Policy adopted in 2011.

[31] The authority is an independent an autonomous agency mandated to oversee education on Anti-corruption and prevention of corruption and economic crimes.

[32] The purpose of this hotline is to give room to children who face violence to report. The service is free of charge. The number of calls made from July 2013–December 2013 total 7000; from January 2014–December 2014 total 13,802 and from January 2015 to July 2015 total 8,593. Therefore a Total Sum of 29,395 calls were made.

[33] In 2 municipal of the Mainland namely being Ilala District in Dar es Salaam (at Amana Hospital), and at the Hai District Hospital in Kilimanjaro Region.

[34] It outlines the list of activities to be carried out during the lifespan of the roadmap some of these activities include development of TV soaps and radio dramas as reported in our Convention on the Rights of the Child report.

[35] 5 Regions having 1 center and with 1 Region having 2 centers.

[36] Guidelines and Standard Operating Procedures (SOP's) in order to operationalise the Police Gender and Children's Desks have been developed. A three-year Action Plan (2013–2016) for six pilot regions has been established.

[37] A total of 335 health care staff in Tanzania Mainland Districts and 10 health staff in Tanzania

Zanzibar were trained.

[38] 60 magistrates, 110 police officers and 111 prison officers.

[39] The Plan is for the period of 2016-2020.

[40] It was establishcd in August, 2014 and 60 awareness programs on the eradication of violence against women have been conducted to date.

[41] As per the requirements of the National Policy Guidelines for the Health Sector Prevention and Response to Gender Based Violence 2011 it is paramount to save lives first. In acute conditions like bleeding and rape survivors who need to obtain post exposure prophylaxis within 72 hours, they are provided with emergency services and contraceptive to prevent unexpected pregnancy within 120 hours from the assault.

[42] The aim of establishing these groups is to make parents take their role and responsibility of parenting by imparting them with parenting skills.

[43] Section 131 of the Act provides for a sentence of not less than thirty years and corporal punishment. Section 131(3) provides that a person convicted for the offence of rape of a girl under the age of ten years shall be sentenced to life imprisonment.

[44] Section 126(1) of the Act provides a sentence of life imprisonment or a sentence of not more than thirty years.

[45] The State Party has, undertaken sensitization of rights holders and duty bearer through the media and community meetings, including training journalists and teacher and at school events; meeting with traditional leaders; capacity building for key duty beareres including Police Gender and Children's Desk training with specific modules on FGM; making elimination of FGM a priority and providing safe places for girls to stay during FGM performance periods. This service has been provided by Sisters of Charity Masanga Centre in Tarime, Mara Region in December 2013. Enhancement of the law enforcement strategy includes enhancement of skills in evidence collection and introduction of child friendly interview skills to law enforcers.

[46] Amongst the objective of the policy is to address the issues of violence against children including FGM strategies to curbing the practice.

[47] Over the review period, 120 school teachers were trained in Tarime District and 1,190 journalists from across the country have also been trained on reporting GBV including FGM as reported in the State Parties consolidated 3rd, 4th and 5th CRC Report.

[48] Article 66(1)(b) of the Constitution of the United Republic of Tanzania requires that women representation in the National Assembly should be not less than 30%. Article 67(1) of the Constitution of Zanzibar also requires that women representation in the House of Representatives should be 40%.

[49] Speech by His Excellency, Jakaya Mrisho Kikwete, the then President of the UTR, when he was dissolving the 10th Parliament of the United Republic of Tanzania, in July 2015.

[50] This Policy has a specific statement indicating the State's commitment to increase access to education, facilities and infrastructure for children with disabilities and those with "special needs", including children with albinism.

[51] The overall goal of the Inclusive Education strategy 2012-2017 is to ensure that all children, youths and adults in Tanzania have equal access to quality education in inclusive settings. Moreover, the IE Strategy strives to achieve education policies and programmes that are informed by inclusive values and practices; teaching and learning respond to the diverse needs of learners; ensure educational support is available to all learners; professional capabilities for inclusive education are widened and strengthened; and community ownership of and participation in inclusive education is enhanced.

[52] Its objectives include early intervention; Capacity building of teachers of pupils with special needs and Material support to enable these students to learn smoothly.

[53] These include the Child Survival and Development Policy of 2001 and the Zanzibar Education Policy of 2006. The latter provides that inclusive education shall be promoted to ensure that children with special needs (which include children with disabilities) get equal opportunities; barriers to learn are addressed and diverse range of learning needs are accommodated. Slow learners and highly gifted children shall be identified and given opportunities to learn at their own pace. Children with disabilities and others with special needs shall, to the greatest extent possible, be able to attend a local where they will receive quality education alongside their peer without disabilities/special needs.

[54] These have been established at various Government institutions and at Government Ministerial level in Tanzania Mainland and Tanzania Zanzibar. For instance, the Most Vulnerable children Committee

within the Ministry of Health and Social welfare.

[55] It is celebrated on the 13 of June, each year.

[56] These are situated at Shinyanga- Buhangija, Kigoma- Kabanga and Misungwi.

[57] Mara, Shinyanga, Mwanza and Tabora.

[58] The establishment of a national advisory committee on anti-trafficking in the context of the Anti-Trafficking in Persons Act (2008) brings together relevant actors from Zanzibar and the Mainland. This enabled the implementation of objective No. 6 which related to child trafficking. In the wards there are committees responsible for monitoring issues of children including VAC and child trafficking. These committees are trained by IOM and the police to understand issues of trafficking and the steps need to be taken by different stakeholder including the families on how to eliminate the problem on one hand while being to capacitate families economically on the other.

[59] 40 Police Officers were trained between 2013 and 2014.

[60] The journalists trained were from Arusha, Dar es Salaam, Dodoma, Kigoma, Mwanza and Zanzibar.

[61] For example, the Police Force and Auxiliary Service Act CAP 322, The Police Force Service Regulations 1995 and Police General Orders provide. Part IV of the Regulations provides for disciplinary offences which include among others the ill treatment of suspects, discharging fire arms without orders and provides for the procedure of the disciplinary proceedings.

[62] Also, 13 Officers, 2 inspectors and 54 Officers of different ranks had severe warnings issues against them.

[63] From January 2014 up to July 2015, total cumulative transfers to household beneficiaries were 984,121 families which amounted to Tsh. 87,580,246,745.

[64] Section 3(1)(a) provides that a person convicted of an offence punishable by imprisonment for a term not exceeing three years, with or without the option of a fine or (1)(b) imprisonment for a term exceeding three years but for which the Court determines a term of imprisonment for three years or less, with or without the option of a fine, to be appropriate, the Court may, subject to this Act, make a community service order requiring the offender to perform community service. Community service shall comprise unpaid public work within a community, for the benefit of that community, for a period to be fixed by the Court but not exceeding the term of imprisonment for which the court would have sentenced the offender.

[65] The amendments pertain to Section 4 and 6(3)(d) of the National Parole Board Act, [Cap. 400 RE. 2002].

[66] Presidential Amnesty is provided under Article 45 of the Constitution of the United Republic of Tanzania, 1977.

[67] The National Prosecution Services Act No. 27 of 2008 has established the Forum and Section 16 (4) of the Act calls for regular inspection visits of Prison, Police Cells and Remand Prisons with all actors involved in the administration of criminal justice.

[68] The implementation strategy of 2014 list objectives which require the Government to: ratify International Conventions on matters related to corrections; improve system for observance of Human Rights Standards in prisons; enhance pro[illegible]ssional correctional worker skills on fundamental Human Rights issues; ensure offenders live in safe, decent and under healthful custody; ensure adequate rehabilitation programmes and services to prisoners; strengthen use of non-custodial measures to reduce over congestion; improve provision of essential health care to staff and inmates; strengthen gender equity in the provision of opportunities in service; improve living and working conditions of prisons staff; improve working relationship between prison service and other stakeholders; improve legal framework for prison service for prison service; enhance good governance and dynamism in prison service; and reduce transmission of HIV in working place.

[69] At Kilwa, Mbarari, Kasungamil, Bukoba, Igunga, Musoma, Maswa, Segerea, Lindi, Sumbawanga and Korogwe Wazo-DSM, Iringa, Bukoba, Musoma, Babati, Ubena, Songea, Shinyanga, Singida, Kitai and MtegowaSimba-Morogoro.

[70] Isanga, Ukonga, Arusha, Maweni-Tanga, Uyui, Keko, Segerea, Ruanda-Mbeya, Butimba-Mwanza, Lilungu-Mtwara, Lindi and Karanga-Kilimanjaro.

[71] These include draft Regulations on Child Protection, draft Regulations on Children's Residential Homes, draft Regulations on Adoption, draft Regulations on Day Care Centers and draft Regulations for effective function of Children's Court that was established in 2013 in Tanzania Zanzibar. In Tanzania Mainland the Retention Homes Regulations (2012), Foster Care Placement Regulations (2012), Apprenticeship Regulations (2012), Child Employment Regulations (2012), Adoption of

Children Regulations (2012), Approved School Regulations (2012), the Day Care Centers and Crèches Regulations (2014), Juvenile Court Rules (2014) and the Child Protection Regulations (2015) were enacted.

72 For example Temeke and Mbeya in 2013/2014 where a total number of 202,738 children were registered and in Mwanza in 2015 a total number of 82,734 children were registered up to September 2015. RITA has established the program of 6-18 birth registration initiatives whereas a total number of 17,996 children were registered from 2012 to September 2015. This registration was free. Also, awareness rising campaigns have been carried out in Mbeya and Mwanza Regions and more campaigns are planned to be expanded to cover other regions of Mara and Simiyu. RITA continues to educate Local leaders from the Village, Ward and District levesl. The State has improved birth registration coverage, including allocation of implementation funds for the Under 5 birth registration and the 6-18 birth registration. Access to birth and registration is implemented through the under 5 National Birth Registration Strategy which is pioneered to increase, expand, and achieve national coverage in regions. In particular, a Memorandum of Understanding (MoU) between Local Government Authorities, Ministry of Health and Ministry of Constitutional and Legal Affairs has been signed to work together to enhance the registration process is in place.

73 Notably, the training for professionals is an on-going process. A team of 24 TOT's from the Judiciary and 64 officers from the Police and NGOs working with the Police have been trained to replicate the training to Police and Court professionals. Training was also held for 7 Judges, 82 Magistrates, 41 Advocates, 80 Social Welfare Officers and 3 Instructors from the Institute of Judicial Administration. In addition, the Police and NGO trainers have trained 1,267 Police Officers working at the Gender and Children Desks.

74 There is 1 of Juvenile Court with three Magistrates. 654 children in conflict with the law have been provided with legal assistance where as successive bail were 366 were granted bail. 288 children were acquitted and 144 children who are in conflict with the law were diverted from the formal justice system. There is also an approved school in Mbeya region. In Tanzania Zanzibar there is a Child Justice Reform Strategy 2013- 2018 which is aimed at among others things implementing the Children Act No. 6 of 2011. The Government has also development the children legal aid scheme whereas every child who cannot afford legal representation if afforded an advocate. Tanzania Zanzibar is also in the final stage of establishing the community rehabilitation program and specific officers who include social workers, police, and Magistrates are provided with specialized training.

75 The State has adopted the National Action Plan for the Elimination of Child Labour (2009-2015). This plan strives to scale up the prevention of, and it provides responses to, the worst forms of child labour in the country. In this context, the worst forms of child labour constitute exploitation and gross violation of human rights for boys and girls, with detrimental physical, emotional and mental consequences to the child. The overall objective of the plan is to reduce the prevalence and incidents of child labour and worst forms of child labour at the household and community levels and in all sectors of the national economy both in rural and urban areas in the short run; and putting in place the requisite economic, social, policy and institutional foundations for elimination of all forms of child labour in longer term.

76 The National Human Rights Action Plan also calls to extend micro-credit schemes and training to the rural and urban poor population to promote income-generating activities and discourage child labour.

77 A total of 875 officers (25 in each districts in the Mainland) officers from 35 Districts out of 128 districts in the Mainland were covered in the training.

78 At the National level it is under the Ministry responsible for Labour matters; at the District level there are Child Labour Elimination Committees under the leadership of the District Executice Office and Child Labour Sub-Committees at the village level are under the Village leadership. Other Government child labor monitoring systems include the National Bureau of Statistics, the Department of Social Welfare through the most vulnerable children data management system and TASAF.

79 It has created a large impact at field level in 20 villages at Sikonge and Urambo Districts by reducing the adverse effects of child labor by providing school supplies, desks, tables and stationeries to 1800 children, 26 shallow wells in schools, and support interschool sports and games whereby a total of 3300 school children have been enrolled and participate in this competition. Through conditional loans catalyzed by PROSPER, mothers have been able to do business and meet education requirements of their children and other house hold requirements. In 2014, 1,530 women from vulnerable households were trained in business entrepreneurship out of which 984 received loans and

784 youth have been trained in good agricultural practice.

[80] The State's collaboration with Plan International and WEKEZA succeeded to prevent 3,016 children between the age of 5-13 from child labour and about 2,232 children were rescued from the child labour, provided with school facilities and were taken back in schools and technical school.

[81] Among them 2079 were girls and 2988 were boys.

[82] This included distribution of wall posters, flyers, banners, newsletters and sharing them with different stakeholders, service providers and public schools.

[83] These include Social Welfare Officers, Police Officers, Immigration Officers, Community Development Officers, Planning Officers, Teachers, Magistrates, Community Services Workers, and Child Care Workers.

[84] The goal of this plan is to establish an MVC response which is Government led and community-driven, that constitutes a multi-sectoral response and commitment which facilitates MVC access adequate care, support and protection and access to basic social services through increasingly mainstreamed and sustainable Government lead systems. The plan has four strategic objectives which are to: strengthen the capacity of household and communities to protect care and support MVC, increase access to effective gender responsive child protection services within a well-resourced child protection system that has the best interest of the child at its core, improve access and utilization of primary health care and education including early childhood care and development services and strengthen the coordination and leadership, policy and service delivery environment.

[85] The project targets the following categories of children: a child who is alone and at risk, lives, sleeps, works and eats on the streets without adult supervision and care; a child who is part- or fulltime on the street but goes "home" in the evenings; a child who is begging with their parents/other care on the streets; a child who has just arrived on the streets; a child who lives in poverty or is a victim of family breakdown and thus is at risk of migrating to the street; children living in the slums; and a child engaged in domestic work, brothels and other types of child labour.

[86] Other initiatives include: adoption of the regulations on foster care, children homes, adoption, retention homes, apprentices and child employment in 2014 and development of the guideline for Psychosocial Care and Support Services for Most Vulnerable Children and Youth in Tanzania in 2014. Further, in February 2014 SOS Children's Villages Tanzania launched the national "*Care for Me"* Campaign embedded with *"quality care to every child"*. This campaign is a collaboration with the Division of Social Welfare at the Ministry of Health.

[87] The Legislation was amended through the Written Laws (Miscellaneous Amendments) Act, No. 3/2013.

[88] Sourced from the Minister of Education Budget Speech 2015/2016.

[89] Cluster II of MKUKUTA-II and MKUKUZA II) establish the target for improving education standards.

[90] A total of 12,476 teachers out of which 8,400 are science and mathematics teachers, this contributed to 9.4 percent increase in performance in science subjects. 4,074 teachers who teach the compulsory general subjects (mathematics, biology, English and Kiswahili) had capacity building training and as a result the performance of ordinary level students had from 23.4 percent from 2012 to 2013.

[91] In the year 20142/2015 construction of about 125 classes was completed and rehabilitation of 59 classes was also completed.

[92] The number of female trained and untrained teachers outnumbers male teachers. Also the capacity of 350 teachers from Unguja and Pemba in 2014/2015 was increased.

[93] Sourced from the Zanaibar Minister of Education and Vocational Training Budget Speech 2015/2016. In respect of Zanzibar, the State Party has established three Gender and Children Desks in three regions: at the Madema Police Station in the Urban West Region (Unguja); at the Mwera Police Station in the South Region (Unguja); and at Chakechake Police Station in Pemba. Currently, the State Party is working to establish another Gender and Children Desk at the Mahonda Police Station in the North Region (Unguja).

[94] Immunisation is against polio, tuberculosis, diphtheria, pertussis, tetanus, measles, hepatitis ''B'' and any other immunizable diseases.

[95] www.mwananchi.go.tz

[96] The UN System in Tanzania.

[97] The Ministry of Health and Social Welfare in implementing its support to Maternal Mortality Reduction Project by seeking assistance from the African Development Bank (ADB) for projects in

Mtwara, Mara and Tabora.

[98] Increasing cooperation between MOEVT and development partners in education sector, where promotion of primary education has been supported by grants and loans from the following international donors, these include: SIDA, UNICEF, UNESCO, GPE, OPEQ Fund, CDC, WHO, CARF International, JICA, MDM, Imperial College of Science and Technology from UK, Milele Zanzibar Foundation, BADEA, ADB and USAID.

[99] The One-UN System through the Office of the Regional Coordinator funded the second consultative workshop on the preparation of the National UPR Report as well as the final workshop made of a small team to finales the Report and ensure it is in compliance with the guidelines. ICESCR.

[100] This is through the President's Office-Planning Commission.

[101] This provides for sustainable management and adequate operation and transparency regulation of water supply and sanitation services, and provides for the establishment of water supply, sanitation authorities and community owned water supply organizations, as well as for the appointment of service providers.

[102] Water supply is being improved in Dar-es-salaam and water projects have been completed in 8 Regions, 6 Districts and 2 townships. There are ongoing projects in 13 Regions and 27 Districts and small towns. Implementation of these projects has increased the availability of water in both rural and urban areas; from 73% in 2005 to 86% in 2014 in urban areas and an increase from 53% in 2005 to 67.6% in 2014 in rural areas. The State continues to improve water services through rehabilitation of infrastructure and covering electricity charges for the operation of national water projects in 7 Regions. Further, on 15th May, 2015 a water laboratory in Mwanza was awarded certificate of accreditation by the Southern African Development Community Accreditation Services (SADCSS).

[103] It also aims at constructing toilets and provides safe and clean water to schools.

[104] This initiate aims to drill 10 boreholes, and renovate 30 boreholes as well as to construct toilets and provide clean water for washing hands and provide a clean environment in schools. There is also a project to build 50 boreholes by Ras-al Khaymah and to date 44 boreholes have been constructed.

[105] The Employment and Labour Relations Act No. 6 of 2004 and the Labour Institutions Act No. 7 of 2004 in Tanzania Mainland and the Labour Relations Act No. 1 of 2005 and the Employment Act No. 11 of 2005 in Tanzania Zanzibar.

[106] Human Rights and Business as an emerging human rights issue is considered in Chapter 4-2.4.2 of the National Human Rights Action Plan.